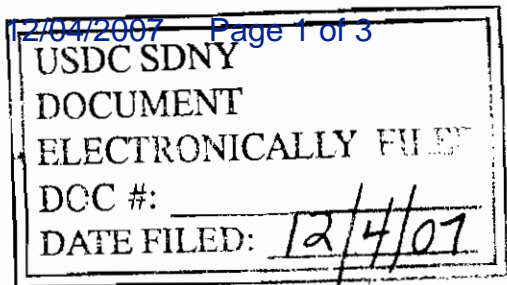


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



ANTHONY RAMOS,

Plaintiff,

-against-

THE CITY OF NEW YORK, a municipal entity, "JOHN  
DOES," NEW YORK CITY POLICE OFFICER ALICE  
MURPHY, Shield # 02148, all of the identified and non  
identified persons in their individual and in their official  
capacities,

Defendants.

**INITIAL SCHEDULING  
ORDER**

07 Civ. 8053 (RJH)(DFE)



The parties, by and through their counsel undersigned, hereby submit their  
proposed Initial Scheduling Order as follows:

1. Description of Case

a. Attorneys of Record

James I. Meyerson  
64 Fulton Street  
New York, New York 10038  
(212) 226-3310  
Attorney for Plaintiff

Michael A. Cardozo  
Corporation Counsel of the City of New York  
100 Church Street  
New York, New York 10007  
Michael K. Gertzer  
(212) 788-0786  
Attorneys for Defendants

b. Basis of Jurisdiction- Federal Question pursuant to 28 U.S.C. §§1331 and 1343, in  
conjunction with 42 U.S.C. § 1983 and 1<sup>st</sup>, 4<sup>th</sup> and 14<sup>th</sup> Amendments to the United States  
Constitution. In addition, pendent jurisdiction is sought to be invoked pursuant to 28 U.S.C. §  
1367.

c. Claims- This case arises out of plaintiff's arrest at the Puerto Rican Day Parade held on June 10, 2007. Plaintiff claims that he was falsely arrested, and subjected to excessive detention. Furthermore, he alleges that his 1<sup>st</sup> Amendment rights were violated. There are no counterclaims.

d. Major legal and factual issues in the case- The issues in the case are whether plaintiff was falsely arrested and subjected to excessive detention while attending the Puerto Rican Day Parade on June 10, 2007, whether the plaintiff's First Amendment rights were violated and/or whether the individual defendant Police Officer Alice Murphy is entitled to qualified immunity. Plaintiff was charged with disorderly conduct and unlawful assembly. Plaintiff denies that he was acting unlawfully. Defendants deny that they were acting unlawfully.

e. Relief Sought- Monetary Damages in an amount to be determined at trial

2. Proposed Case Management Plan.

a. Pending Motions-none

b. Cutoff date for joinder of additional parties-February 1, 2008

c. Cutoff date for amendments to pleadings-February 1, 2008

d. Schedule for completion of discovery-

i. Rule 26(a)(1) disclosures-December 17, 2007

ii. Fact discovery completion date-April 30, 2008

iii. Plaintiff's Rule 26(a)(2) disclosures-May 15, 2008;

Defendants' Rule 26(a)(2) disclosures-July 1, 2008

iv. Expert discovery-Expert discovery to be completed by July 21, 2008.

e. Dispositive Motions-June 2, 2008

- f. Final Pretrial Order-30 days after all dispositive motions are resolved.
- g. Trial- i. Jury trial is requested.
  - ii. Length of trial- 3 to 5 days.
  - iii. Case will be ready for trial following disposition of dispositive motions, if any.
- 3. The parties do not consent to proceed before a Magistrate Judge.
- 4. The parties are discussing settlement and will inform the Court if a settlement conference would be useful.

5. The conference scheduled for December 7, 2007 is adjourned to 5/2/08 at which time the parties shall report on the results of fact discovery.

Respectfully Submitted,

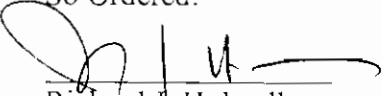
James I. Meyerson  
64 Fulton Street, Ste. No. 502  
New York, New York 10038  
(212) 226-3310

By: \_\_\_\_\_/s/  
JAMES I. MEYERSON  
Attorney for Plaintiff

MICHAEL CARDOZO  
Corporation Counsel of the  
City of New York  
100 Church Street  
New York, New York 10007

By: \_\_\_\_\_  
MICHAEL K. GERTZER  
Attorneys for Defendants

So Ordered:

  
Richard J. Holwell  
United States District Judge

12/14/07